

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, MARCH 3, 2008**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:01 p.m. on Monday, March 3, 2008, with President Cockrum presiding.

Councillor Carson led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Cockrum instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn
2 ABSENT: MahernD, Mansfield

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Bateman introduced good friend Sam Carson.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council

Journal of the City-County Council

Chambers, on Monday, March 3, 2008, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Bob Cockrum
President, City-County Council

February 12, 2007

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, February 15, 2008, a copy of a Notice of Public Hearing on Proposal Nos. 56, 59, 60, and 67-70, 2008, said hearing to be held on Monday, March 3, 2008, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Melissa Thompson
Clerk of the City-County Council

February 20, 2008

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Melissa Thompson, the following ordinances:

GENERAL ORDINANCE NO. 2, 2008 – amends the Code to establish the Indianapolis Metropolitan Police Department as the police division of the department of public safety and makes corresponding technical corrections

GENERAL ORDINANCE NO. 3, 2008 - amends the Code to add "religious use" as a permitted use in the commercial zoning district, to make the definition uniform throughout the Code and to make related amendments

SPECIAL RESOLUTION NO. 3, 2008 – recognizes the Country Kitchen Soul Food Place for their efforts during the Christmas holiday

SPECIAL RESOLUTION NO. 4, 2008 - recognizes Jackie "Jack" W. Hines

Respectfully,
s/Gregory A. Ballard, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of February 11, 2008. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal Nos. 12 and 13, 2008 on February 12, 2008. She asked for consent to vote on these proposals together. Councillor Sanders asked that the proposals be voted on separately.

PROPOSAL NO. 12, 2008. The proposal, sponsored by Councillor Pfisterer, appoints Jennifer Ruby to the Information Technology Board. By a 4-2-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer moved, seconded by Councillor Cain, for adoption.

Councillor Sanders stated that there was discussion among the Committee members as to whether Ms. Ruby met the requirements for appointment to this board. Councillor Pfisterer said that that when definitions were set in the original ordinance setting up this board, technology was still evolving, and she said that Ms. Ruby's experience qualifies for this position, and she has spoken with General Counsel Robert Elrod, who concurs. Councillor Sanders said that an operation as large as the City-County Enterprise can learn from other large corporations, and she feels this appointment needs to be filled with someone with more experience.

Councillor Nytes agreed and moved, seconded by Councillor Moriarty Adams, to return Proposal No. 12, 2008 to Committee for further review as to qualifications. The motion failed on the following roll call vote; viz:

11 YEAS: Bateman, Brown, Carson, Evans, Gray, MahernB, Moriarty Adams, Nytes, Oliver, Pryor, Sanders
16 NAYS: Cain, Cardwell, Cockrum, Coleman, Day, Hunter, Lutz, Malone, McHenry, McQuillen, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn
2 ABSENT: MahernD, Mansfield

Councillor Nytes said that it only takes eight votes to return a proposal to Committee. Mr. Elrod stated that it only takes eight votes to refer a proposal to a Committee if it is before the Council as a whole and has not been through the Committee process already. In order to return a proposal to Committee, there must be a majority of members to vote for such action, according to Sec. 151-61 of the Revised Code. Councillor Pryor asked for a written synopsis of this rule so that Council members can be clear on this protocol. President Cockrum asked the Clerk to ensure that members get copies of this portion of the Code.

Proposal No. 12, 2008 was adopted on the following roll call vote; viz:

16 YEAS: Cain, Cardwell, Cockrum, Coleman, Day, Hunter, Lutz, Malone, McHenry, McQuillen, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn
11 NAYS: Bateman, Brown, Carson, Evans, Gray, MahernB, Moriarty Adams, Nytes, Oliver, Pryor, Sanders
2 ABSENT: MahernD, Mansfield

Proposal No. 12, 2008 was retitled COUNCIL RESOLUTION NO. 15, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 15, 2008

A COUNCIL RESOLUTION appointing Jennifer Ruby to the Information Technology Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Technology Board, the Council appoints:

Jennifer Ruby.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 13, 2008. The proposal, sponsored by Councillor Pfisterer, appoints Susan Swayze to the Audit Committee. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer moved, seconded by Councillor Cain, for adoption. Proposal No. 13, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 13, 2008 was retitled COUNCIL RESOLUTION NO. 16, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 16, 2008

A COUNCIL RESOLUTION appointing Susan Swayze to the Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Audit Committee, the Council appoints:

Susan Swayze.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Cardwell stated that the Economic Development Committee heard Proposal Nos. 15-17, 2008 on February 20, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 15, 2008. The proposal, sponsored by Councillor Cardwell, appoints Robert Gallant to the Indianapolis Economic Development Commission. PROPOSAL NO. 16, 2008. The proposal, sponsored by Councillor Cardwell, appoints Patricia Chastain to the Indianapolis City Market Corporation Board of Directors. PROPOSAL NO. 17, 2008. The proposal, sponsored by Councillor Cardwell, appoints Richard D. VanParis, II to the Indianapolis City Market Corporation Board of Directors. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Gray asked if there was any conflict of interest with Mr. Gallant's appointment due to his profession in the development business. Councillor Cardwell stated that this was asked in Committee and Mr. Gallant assured the members he would abstain if there was a conflict of interest.

March 3, 2008

Councillor Cardwell moved, seconded by Councillor Cain, for adoption. Proposal Nos. 15-17, 2008 were adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Scales, Smith, Speedy, Vaughn
1 NAYS: Sanders
2 ABSENT: MahernD, Mansfield

Proposal No. 15, 2008 was retitled COUNCIL RESOLUTION NO. 17, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 2008

A COUNCIL RESOLUTION appointing Robert Gallant to the Indianapolis Economic Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Economic Development Commission, the Council appoints:

Robert Gallant.

SECTION 2. The appointment made by this resolution is for a term ending February 1, 2012. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 16, 2008 was retitled COUNCIL RESOLUTION NO. 18, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 18, 2008

A COUNCIL RESOLUTION appointing Patricia Chastain to the Indianapolis City Market Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City Market Corporation Board of Directors, the Council appoints:

Patricia Chastain.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 17, 2008 was retitled COUNCIL RESOLUTION NO. 19, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 19, 2008

A COUNCIL RESOLUTION appointing Richard D. VanParis, II to the Indianapolis City Market Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City Market Corporation Board of Directors, the Council appoints:

Richard D. VanParis, II.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 22, 2008. Councillor Day reported that the Parks and Recreation Committee heard Proposal No. 22, 2008 on February 14, 2008. The proposal, sponsored by Councillor Day, appoints Diana M. Hall to the Board of Parks and Recreation. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Day moved, seconded by Councillor Cardwell, for adoption. Proposal No. 22, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 22, 2008 was retitled COUNCIL RESOLUTION NO. 20, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 2008

A COUNCIL RESOLUTION appointing Diana M. Hall to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Diana M. Hall.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

PROPOSAL NO. 23, 2008. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 23, 2008 on February 13, 2008. The proposal, sponsored by Councillors Vaughn and Hunter, appoints Astrid Poston to the Citizens Police Complaint Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders stated that Ms. Poston indicated she was working with the Indianapolis Metropolitan Police Department (IMPD), and she asked in what capacity that was. Councillor Vaughn said that she served on a Neighborhood Task Force from 2003 to 2005, but does not currently work with IMPD in any capacity. Councillor Sanders said that serving on a board that was created to serve citizens would be difficult and could be seen as a conflict if she was still working closely with IMPD.

Councillor Vaughn moved, seconded by Councillor Cardwell, for adoption. Proposal No. 23, 2008 was adopted on the following roll call vote; viz:

March 3, 2008

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 23, 2008 was retitled COUNCIL RESOLUTION NO. 21, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 21, 2008

A COUNCIL RESOLUTION appointing Astrid Poston to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Astrid Poston.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 24, 2008. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 24, 2008 on February 13, 2008. The proposal, sponsored by Councillors Vaughn and Brown, appoints Gary A. Jennings to the Citizens Police Complaint Board. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Vaughn moved, seconded by Councillor Day, for adoption. Proposal No. 24, 2008 was adopted on the following roll call vote; viz:

21 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Gray, Hunter, Lutz, Malone, McHenry, McQuillen, Nytes, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

6 NAYS: Carson, Evans, MahernB, Moriarty Adams, Oliver, Pryor

2 ABSENT: MahernD, Mansfield

Proposal No. 24, 2008 was retitled COUNCIL RESOLUTION NO. 22, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 22, 2008

A COUNCIL RESOLUTION appointing Gary A. Jennings to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Gary A. Jennings.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 26 and 27, 2008 on February 13, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 26, 2008. The proposal, sponsored by Councillor Cockrum, appoints Michelle Baldwin to the Board of Public Safety. PROPOSAL NO. 27, 2008. The proposal, sponsored by Councillors Cockrum and Vaughn, appoints Kenneth Giffin to the Board of Public Safety. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass as amended and do pass, respectively. Councillor Vaughn moved, seconded by Councillor McQuillen, for adoption. Proposal No. 26, 2008, as amended, and Proposal No. 27, 2008 were adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 26, 2008, as amended, was retitled COUNCIL RESOLUTION NO. 23, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 2008

A COUNCIL RESOLUTION appointing Michelle Baldwin to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Michelle Baldwin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

Proposal No. 27, 2008 was retitled COUNCIL RESOLUTION NO. 24, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 2008

A COUNCIL RESOLUTION appointing Kenneth Giffin to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Kenneth Giffin.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 29, 31 and 32, 2008 on February 13, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 29, 2008. The proposal, sponsored by Councillor Vaughn, reappoints Jon M. Bailey to the Marion County Public Defender Board. PROPOSAL NO. 31, 2008. The proposal, sponsored by Councillor Cockrum, appoints Sam Nunn to the Indianapolis-Marion County

Forensic Board. PROPOSAL NO. 32, 2008. The proposal, sponsored by Councillor Vaughn, appoints Michael Biberstine to the Juvenile Detention Advisory Board. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Vaughn moved, seconded by Councillor McQuillen, for adoption. Proposal Nos. 29, 31 and 32, 2008 were adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 ABSENT: MahernD, Mansfield

Proposal No. 29, 2008 was retitled COUNCIL RESOLUTION NO. 25, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 2008

A COUNCIL RESOLUTION re-appointing Jon M. Bailey to the Marion County Public Defender Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Public Defender Board, the Council re-appoints:

Jon M. Bailey

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 31, 2008 was retitled COUNCIL RESOLUTION NO. 26, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 2008

A COUNCIL RESOLUTION appointing Sam Nunn to the Indianapolis-Marion County Forensic Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Forensic Board, the Council appoints:

Sam Nunn

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 32, 2008 was retitled COUNCIL RESOLUTION NO. 27, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 2008

A COUNCIL RESOLUTION appointing Michael Biberstine to the Juvenile Detention Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Advisory Board, the Council appoints:

Michael Biberstine.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 36, 2008. Councillor Hunter reported that the Public Works Committee heard Proposal No. 36, 2008 on February 21, 2008. The proposal, sponsored by Councillors Cain and Hunter, appoints Robert Parrin to the Board of Public Works. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Hunter moved, seconded by Councillor Cain, for adoption. Proposal No. 36, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 36, 2008 was retitled COUNCIL RESOLUTION NO. 28, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 2008

A COUNCIL RESOLUTION appointing Robert Parrin to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Robert Parrin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

PROPOSAL NO. 38, 2008. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 38, 2008 on February 19, 2008. The proposal, sponsored by Councillor Plowman, appoints Jennifer L. Ping to the Alcohol Beverage Board of Marion County. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lutz moved, seconded by Councillor Vaughn, for adoption. Proposal No. 38, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 38, 2008 was retitled COUNCIL RESOLUTION NO. 29, 2008, and reads as follows:

March 3, 2008

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 2008

A COUNCIL RESOLUTION appointing Jennifer L. Ping to the Alcoholic Beverage Board of Marion County.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council appoints:

Jennifer L. Ping.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 55, 2008. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 55, 2008 on February 12, 2008. The proposal, sponsored by Councillor Pfisterer, appoints Dorothy Hancock to the City-County Administrative Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer moved, seconded by Councillor Cardwell, for adoption. Proposal No. 55, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 55, 2008 was retitled COUNCIL RESOLUTION NO. 30, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 2008

A COUNCIL RESOLUTION appointing Dorothy Hancock to the City-County Administrative Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council appoints:

Dorothy Hancock

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 57, 2008. Councillor Plowman reported that the Metropolitan Development Committee heard Proposal No. 57, 2008 on February 25, 2008. The proposal, sponsored by Councillor Plowman, appoints Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Plowman moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 57, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 57, 2008 was retitled COUNCIL RESOLUTION NO. 31, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 2008

A COUNCIL RESOLUTION appointing Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division III, the Council appoints:

Alan Retherford

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

PROPOSAL NO. 58, 2008. Councillor Plowman reported that the Metropolitan Development Committee heard Proposal No. 58, 2008 on February 25, 2008. The proposal, sponsored by Councillor Plowman, appoints Keith D. Smith to the Metropolitan Board of Zoning Appeals, Division I. Councillor Plowman stated that Mr. Smith has asked that his name be withdrawn from consideration for this appointment. He moved, seconded by Councillor Gray, to strike. Proposal No. 58, 2008 was stricken by a unanimous voice vote.

PROPOSAL NO. 61, 2008. Councillor McQuillen reported that the Municipal Corporations Committee heard Proposal No. 61, 2008 on February 26, 2008. The proposal, sponsored by Councillors McQuillen and Day, appoints Richard E. Brown to the Beech Grove Public Library Board. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McQuillen moved, seconded by Councillor Lutz, for adoption. Proposal No. 61, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 61, 2008 was retitled COUNCIL RESOLUTION NO. 32, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 2008

A COUNCIL RESOLUTION appointing Richard E. Brown to the Beech Grove Public Library Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Beech Grove Public Library Board, the Council appoints:

Richard E. Brown

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Day reported that the Parks and Recreation Committee heard Proposal Nos. 63-65, 2008 on February 14, 2008. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 63, 2008. The proposal, sponsored by Councillor Cain, appoints Kenneth Pendleton to the Indianapolis Greenways Development Committee. PROPOSAL NO. 64, 2008. The proposal, sponsored by Councillors Day and Cain, appoints Eugene Schulstad to the Indianapolis Greenways Development Committee. PROPOSAL NO. 65, 2008. The proposal, sponsored by Councillor Day, appoints Joseph E. Mayes to the Board of Parks and Recreation. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Day moved, seconded by Councillor Cain, for adoption. Proposal Nos. 63-65, 2008 were adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 ABSENT: MahernD, Mansfield

Proposal No. 63, 2008 was retitled COUNCIL RESOLUTION NO. 33, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 2008

A COUNCIL RESOLUTION appointing Kenneth Pendleton to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Kenneth Pendleton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 64, 2008 was retitled COUNCIL RESOLUTION NO. 34, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 2008

A COUNCIL RESOLUTION appointing Eugene Schulstad to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Eugene Schulstad

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 65, 2008 was retitled COUNCIL RESOLUTION NO. 35, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 2008

A COUNCIL RESOLUTION appointing Joseph E. Mayes to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Joseph E. Mayes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 75, 2008. Councillor Plowman reported that the Metropolitan Development Committee heard Proposal No. 75, 2008 on February 25, 2008. The proposal, sponsored by Councillor Plowman, appoints Larry J. Walker to the Metropolitan Board of Zoning Appeals, Division II. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders said that some of these appointees have served many years during the previous administration, and while that is commendable, she encouraged the Council to look beyond that and find new people to also serve on these boards. Councillor Plowman said that they also look for people with experience in zoning to fill these boards, and those who have served before have that experience.

Councillor Plowman moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 75, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 ABSENT: MahernD, Mansfield

Proposal No. 75, 2008 was retitled COUNCIL RESOLUTION NO. 36, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 2008

A COUNCIL RESOLUTION appointing Larry J. Walker to the Metropolitan Board of Zoning Appeals, Division II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division II, the Council appoints:

Larry J. Walker

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

PROPOSAL NO. 76, 2008. Councillor Plowman reported that the Metropolitan Development Committee heard Proposal No. 76, 2008 on February 25, 2008. The proposal, sponsored by Councillors Cardwell and Cockrum, appoints Randolph Snyder to the Metropolitan Development Commission. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Plowman moved, seconded by Councillor Cardwell, for adoption. Proposal No. 76, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 76, 2008 was retitled COUNCIL RESOLUTION NO. 37, 2008, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 2008

A COUNCIL RESOLUTION appointing Randolph Snyder to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Randolph Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 78, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jackie Nytes to the City-County Internal Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 79, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Beth White to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 80, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Michael Rodman to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 81, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sheriff Frank Anderson to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 82, 2008. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which directs the County Auditor to withhold the

paychecks of the Coroner and certain deputy coroners until they receive certification by the Indiana State Coroners Training Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 83, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jeffrey Congdon to the Ft. Benjamin Harrison Reuse Authority "; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 84, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Randall Faulkner to the Indianapolis City Market Corporation Board"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 85, 2008. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Bradley Battin to the Indianapolis City Market Corporation Board"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 86, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints David Oeth to the Speedway Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 87, 2008. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints John Suter to the Metropolitan Development Commission "; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 88, 2008. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends portions of the Code regarding the Industrial, Commercial, Dwelling Districts and Special Districts Zoning Ordinances to provide for sidewalks along public rights-of-way and pedestrian accessibility"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 89, 2008. Introduced by Councillor McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Thomas Shevlot to the Indianapolis-Marion County Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 90, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Dr. David Bash to the Animal Care and Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 91, 2008. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Edrose Potts, Jr. to the Law Enforcement Advisory Council"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 92, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$136,836 in the 2008 Budget of the Marion County Community Corrections Agency (State and Federal Grants Fund) to provide a substance abuse treatment program for offenders at the Duvall Residential Work Release Center, financed by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 93, 2008. Introduced by Councillors Plowman and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$72,046 in the 2008 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to reduce the backlog of DNA casework in the Marion County Crime Lab, financed by a grant from the U.S. Department of Justice in association with the National Institute of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 94, 2008. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Dennis Rosebrough to the Board of Public Works "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 95, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of specified land owned by Indianapolis Art Center which is necessary for the construction of a flood damage reduction project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 96, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of specified land owned by Birch Tree, LLC which is necessary for the construction of a flood damage reduction project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 97, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of specified land owned by The Riviera Club, Inc. which is necessary for the construction of a sanitary sewer project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 98, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of specified land owned by Edgewater Apartments Partnership which is necessary for the construction of a flood damage reduction project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 99, 2008. Introduced by Councillors Vaughn and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of specified land owned by Optimist Club of North Side Indianapolis which is necessary for the construction of a flood damage reduction project "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 113, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jonathan Cahill to the

Indianapolis City Market Corporation Board"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 114, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Janet Amos to the Indianapolis City Market Corporation Board"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 115, 2008. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Wayne Schmidt to the Indianapolis City Market Corporation Board"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 116, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Richard Petrecca to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 117, 2008. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Thomas Grinslade to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Sanders made the following motion:

Mr. President:

I move that Proposal No. 109, 2008 (Rezoning Case 2007-ZON-827) be scheduled for a hearing before this Council at its next regular meeting on March 24, 2008 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Moriarty Adams seconded the motion, and Proposal No. 109, 2008 was scheduled for public hearing on March 24, 2008 and is identified as follows:

2007-ZON-827
607 AND 609 RUSSELL AVENUE AND 21 AND 81 WEST MERRILL (*Approximate Addresses*)
INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19
Merrill Tower Partners, by Steven B. Granner, requests rezoning of 0.143 acre, from the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for central business district uses.

Mr. Elrod made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2007-ZON-827, Council Proposal No. 109, 2008, at its next regular meeting on March 24, 2008, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 0.143 acres at 607 and 609 Russell Avenue and 21 and 81 West Merrill Street from the I-3-U (RC) District to the CBD-2 (RC) classification to provide for central business district uses.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

PROPOSAL NOS. 100-101, 2008, PROPOSAL NOS. 102-104, 2008, PROPOSAL NOS. 105-108 and 110, 2008, PROPOSAL NO. 111, 2008, and PROPOSAL NO. 112, 2008. Introduced by Councillor Plowman. Proposal Nos. 100-101, 2008, Proposal Nos. 102-104, 2008, Proposal Nos. 105-108 and 110, 2008, Proposal No. 111, 2008 and Proposal No. 112, 2008 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on February 21 and 22, 2008. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 15-26, 2008, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 15, 2008.

2007-ZON-828

1846 WEST BANTA ROAD AND 6215 LAKEHAVEN LANE (*Approximate Address*), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 22

R.H. MARLIN, INC., by Ray Good, requests rezoning of 15.20 acres, from the D-A (FF) (W-1) and I-2-S (FF) (W-1) Districts, to the I-2-S (FF) (W-1) classification to provide for light industrial uses.

REZONING ORDINANCE NO. 16, 2008.

2007-ZON-840

820 WEST SUMNER AVENUE (*Approximate Address*), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 23

WR BEACH, INC., by Ray Good, requests rezoning of 22 acres, from the D-A (FF), SU-5 (FF) and I-2-S (FF) Districts, to the I-2-S (FF) classification to provide for light industrial uses.

REZONING ORDINANCE NO. 17, 2008.

2007-ZON-038

1527 NORTH NEW JERSEY STREET (*Approximate Address*), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

DAVID P. LIVINGHOUSE requests rezoning of 0.25 acres, from the C-4 District to the D-8 classification.

REZONING ORDINANCE NO. 18, 2008.

2007-ZON-120

3600 AND 3601 CARSON AVENUE (*Approximate Address*), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

UNIVERSITY OF INDIANAPOLIS, by Eugene Valanzano, requests rezoning of 6.979 acres, from the D-4 District, to the D6-II classification to provide for university quarter district one uses.

REZONING ORDINANCE NO. 19, 2008.

2007-ZON-132

2740 EAST 38TH STREET (*Approximate Address*), INDIANAPOLIS

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4

O'REILLY AUTOMOTIVE, INC. requests rezoning of 0.859 acre, from the D-5 (W-5) District, to the C-4 (W-5) classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 20, 2008.

2007-ZON-090

7634 AND 7750 MADISON AVENUE (*Approximate Address*), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

STD, LLC, by David Gilman, requests rezoning of 2.849 acres, from the C-1 and SU-1 Districts, to the C-S classification to provide for the restricted industrial suburban uses, including mini-warehouses.

REZONING ORDINANCE NO. 21, 2008.

2007-ZON-105

1621, 1625 AND 1633 EAST WASHINGTON STREET AND 24, 28 AND 33 SOUTH STATE STREET (*Approximate Address*), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

HORNER ENTERPRISES, LLC, by David Kingen, requests rezoning of 1.74 acres, from the SU-1 and C-3 Districts, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 22, 2008.

2007-ZON-107

5000 SOUTHEASTERN AVENUE (*Approximate Address*), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 20

SMITLEY FAMILY TRUST, by Nancy A. Long requests rezoning of 0.38 acre, from the D-3 District, to the C-3C classification to provide for corridor commercial district uses.

REZONING ORDINANCE NO. 23, 2008.

2007-ZON-141

1852 AND 1856 WEST MORRIS STREET (*Approximate Address*), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

NEW LIFE BAPTIST CHURCH requests rezoning of 0.2755 acre, from the C-4 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 24, 2008.

2007-ZON-866

1145 EAST 22ND STREET AND 2108 COLUMBIA AVENUE (*Approximate Address*), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

MB Warehouse, LLC, by Joseph D. Calderon, requests rezoning of 6.2 acres, from the I-3-U District, to the C-S classification to provide for two development areas:

Parcel "A" permits: mixed-use or stand alone buildings including dwelling units, offices, C-3 uses, I-1, I-2 and specified I-3 uses and schools. Parcel "B" permits: C-3C uses and two-family and multifamily residential uses.

REZONING ORDINANCE NO. 25, 2008.

2007-ZON-809

38 AND 40 SOUTH STATE AVENUE AND 1616, 1620 AND 1624 WILLIAMS STREET (*Approximate Addresses*) INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

HORNER ENTERPRISES, LLC, by David Kingen, requests rezoning of 2.45 acres, from the SU-1 and C-3 Districts, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 26, 2008.

2006-ZON-864

7910 SOUTH ARLINGTON AVENUE AND 5850 EAST STOP 11 ROAD, INDIANAPOLIS

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

DS DEVELOPMENT, LLC, by Robert T. Wildman, requests rezoning of 8.88 acres, from the C-3 and D-6 Districts, to the C-3 classification to provide for neighborhood commercial uses.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Plowman reported that the Metropolitan Development Committee heard Proposal Nos. 59 and 60, 2008 on February 25, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 59, 2008. The proposal, sponsored by Councillors Nytes and Carson, appropriates \$156,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Non-lapsing Grants and State Non-lapsing Grants Funds) to fund the purchase of supplies and equipment for the Indianapolis Brownfield Redevelopment Program and to fund electrical and natural gas services for businesses in the Indiana University Emerging

Technologies Center, financed by an existing EPA Assessment Grant and a State of Indiana Technology Development Fund Grant. PROPOSAL NO. 60, 2008. The proposal, sponsored by Councillors Nytes, Carson, Plowman, Cain, McHenry, Cardwell and Evans, appropriates \$460,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Grants Fund) to fund capital repairs needed at the Indiana Theatre Building, financed by prior years' program income generated by Urban Development Action Grants. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Cockrum called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Plowman moved, seconded by Councillor Cardwell, for adoption. Proposal Nos. 59 and 60, 2008 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
2 ABSENT: MahernD, Mansfield

Proposal No. 59, 2008 was retitled FISCAL ORDINANCE NO. 2, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating One Hundred Fifty-Six Thousand Dollars (\$156,000) in the Federal Non-Lapsing Grants Fund and State Non-Lapsing Grants Fund for purposes of the Department of Metropolitan Development and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(h) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development to fund the purchase of supplies and equipment, which will be financed by a \$6,000 transfer between characters within an existing EPA Assessment Grant, for the Indianapolis Brownfield Redevelopment Program and to fund electrical and natural gas services for businesses in the Indiana University Emerging Technologies Center, financed by a \$150,000 State of Indiana Technology Development Fund Grant.

SECTION 2. The sum of One Hundred Fifty-Six Thousand Dollars (\$156,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL NON-LAPSING GRANTS FUND</u>
1. Personal Services	0
2. Supplies	2,000
3. Other Services and Charges	0
4. Capital Outlay	4,000
5. Internal Charges	0
TOTAL INCREASE	6,000
<u>DEPT OF METROPOLITAN DEVELOPMENT</u>	<u>STATE NON-LAPSING GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	150,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	150,000

Journal of the City-County Council

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL NON-LAPSING GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	6,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	6,000

	<u>STATE NON-LAPSING GRANTS FUND</u>
Unappropriated and Unencumbered	
State Non-Lapsing Grants Fund	150,000
TOTAL REDUCTION	150,000

SECTION 5. No local match is required for this ordinance.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 60, 2008 was retitled FISCAL ORDINANCE NO. 3, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating Four Hundred Sixty Thousand Dollars (\$460,000) in the Federal Grants Fund for purposes of the Department of Metropolitan Development and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(h) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development to fund capital repairs needed at the Indiana Theatre Building, financed by prior years' program income generated by Urban Development Action Grants.

SECTION 2. The sum of Four Hundred Sixty Thousand Dollars (\$460,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	460,000
5. Internal Charges	0
TOTAL INCREASE	460,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	460,000
TOTAL REDUCTION	460,000

SECTION 5. No local match is required for this ordinance.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 67 and 68, 2008 on February 13, 2008. He asked for consent to vote on these proposals together. Councillor Hunter asked that they be voted on separately.

PROPOSAL NO. 67, 2008. The proposal, sponsored by Councillors Vaughn and Moriarty Adams, appropriates \$240,487 in the 2008 Budget of the Indianapolis Metropolitan Police Department (IMPD, Federal Grants and Non-Lapsing Federal Grants Funds) for reimbursement of overtime for officers assigned to the US Marshal's Fugitive Task Force and for the following initiatives: Community Clergy, Fatal Alcohol Crash Team, Violent Crime Unit; Safe Driver, Walmart Community Policing and the Cold Case Initiative, financed by grants and a transfer between characters. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Cockrum called for public testimony at 8:02 p.m.

Adam Longworth, citizen, asked what type of community policing is needed at Walmart. Councillor Vaughn said that it is actually a donation from Walmart to help with community policing.

Councillor Hunter stated that although he does not actually benefit from this appropriation he would like to abstain from voting to avoid the appearance of a conflict of interest. Consent was given.

There being no further testimony, Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 67, 2008 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Hunter
2 ABSENT: MahernD, Mansfield

Proposal No. 67, 2008 was retitled FISCAL ORDINANCE NO. 4, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Police Special Service District Ordinance No. 1, 2007 and Fiscal Ordinance No. 78, 2007, Section 1.06(b)) appropriating Two Hundred Forty Thousand Four Hundred Eighty-Seven Dollars (\$240,487) in the IMPD Fund, Federal Grants Fund, and the Non-Lapsing Federal Grants Fund for purposes of the Indianapolis Metropolitan Police Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the Annual Budget of the Police Special Service District and the City-County Annual Budget for 2008, Sections 1 and 1.06(b) respectively, be, and are hereby, amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Metropolitan Police Department for the reimbursement of overtime of officers assigned to the U.S. Marshal's Fugitive Task Force (\$32,000) and for the following initiatives: Community Clergy (\$3,600); Fatal Alcohol Crash Team (\$4,565); Violent Crime Unit (\$21,000); Safe Driver (\$6,600); Walmart – community policing (\$1,000); all of which are funded by grants, and the Cold Case Initiative (\$171,722), which is financed by a transfer between characters.

SECTION 2. The sum of Two Hundred Forty Thousand Four Hundred Eighty-Seven Dollars (\$240,487) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in sections 4 and 5.

SECTION 3. The following additional appropriations are hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>IMPD FUND</u>
1. Personal Services	6,600
2. Supplies	0
3. Other Services and Charges	1,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	7,600

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	176,287
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	176,287

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	53,000
2. Supplies	3,600
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	56,600

SECTION 4. The said additional appropriation is funded by the following reductions of fund balance:

	<u>IMPD FUND</u>
Unappropriated and Unencumbered IMPD Fund	7,600
TOTAL REDUCTION	7,600

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	4,565
TOTAL REDUCTION	4,565

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Non-lapsing Federal Grants Fund	56,600
TOTAL REDUCTION	56,600

SECTION 5. The following appropriation is hereby reduced:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	171,722
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	171,722

SECTION 6. Two FTEs will result from the transfer of two homicide investigators, which were originally contractual positions under the Cold Case Initiative, to the IMPD. These two FTEs will be hired as IMPD civilians and will report directly to the captain of the Homicide Branch. These two FTEs will increase the 2008 authorized civilian count in the IMPD from 320 to 322. All initiatives aforementioned in SECTION 1 require no match.

SECTION 7. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and

March 3, 2008

the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

PROPOSAL NO. 68, 2008. The proposal, sponsored by Councillors Pfisterer and Moriarty Adams, appropriates \$322,248 in the 2008 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund contractual computer services for the JAG Technology Initiative; salaries, fringes and contractual services for the Community Court; salaries and fringes for the Drug Treatment Court; contractual services for Family Court; supplies and training registrations for the Juvenile Mental Health Screening and Assessment Pilot Project; salary and fringes for a part-time crew leader on the Community Service Restitution Project, financed by grants from the Indiana Criminal Justice Institute, Indiana Supreme Court, and Indiana State Bar Association and a transfer between characters. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President Gray called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 68, 2008, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 68, 2008, as amended, was retitled FISCAL ORDINANCE NO. 5, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) by appropriating Three Hundred Twenty-Two Thousand Two Hundred Forty-Eight Dollars (\$322,248) in the State and Federal Grants Fund for purposes of the Marion Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to fund the following: contractual computer services as part of the JAG Technology initiative (\$8,712); salaries, fringe benefits, and contractual services for the Community Court (\$76,234); salaries and fringe benefits for the Drug Treatment Court (\$207,552); contractual services for Family Court (\$20,000); supplies and training registrations for the Juvenile Mental Health Screening and Assessment Pilot Project (\$5,750); and the salary and fringes for the part-time crew leader on the Community Service Restitution Project (\$4,000), financed by grants from the Indiana Criminal Justice Institute, the Indiana Supreme Court (Division of State Court Administration), Indiana State Bar Association, and a transfer between characters of the Juvenile Accountability Block Grant.

SECTION 2. The sum of Three Hundred Twenty-Two Thousand Two Hundred Forty-Eight Dollars (\$322,248) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	284,286
2. Supplies	2,350
3. Other Services and Charges	32,212
4. Capital Outlay	<u>3,400</u>
TOTAL INCREASE	322,248

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	4,000
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	4,000

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated, Unencumbered	
State and Federal Grants Fund	<u>318,248</u>
TOTAL REDUCTION	318,248

SECTION 5. There is a local match requirement of \$968 for the JAG Technology Grant, which is being met by the Superior Court's Technology Department's 2008 General Fund appropriations. There are no FTE's associated with this grant.

There is a local match requirement of \$207,552 for the Drug Treatment Court, which is being met by the following sources: Superior Court General Fund, Drug Free Marion County, the Indiana Department of Corrections, and the Drug Treatment Diversion Fund. All local match dollars are included in the 2008 Budget. There are six FTE's, which were all approved in F.O. 78, 2007, associated with this grant.

There is a local match requirement of \$76,234 for the Community Court, which is being met by the Superior Court's 2008 General Fund and Drug Free Marion County appropriations. All local match dollars are included in the 2008 Budget. There are two FTE's, which were both approved in F.O. 78, 2007, associated with this grant.

No local match is required and no FTE's are associated with the other grants.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Hunter reported that the Public Works Committee heard Proposal Nos. 69 and 70, 2008 on February 21, 2008. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 69, 2008. The proposal, sponsored by Councillor Moriarty Adams, approves an appropriation of \$3,380,000 in the 2008 Budget of the Department of Public Works (Transportation General Fund) to fund the resurfacing design, inspection and construction of the streets used in 2007 as local detour routes for the Super 70 project, financed by reimbursements from the Indiana Department of Transportation. PROPOSAL NO. 70, 2008. The proposal, sponsored by Councillors Hunter and Moriarty Adams, approves an appropriation of \$9,000,000 in the 2008 Budget of the Department of Public Works (Transportation General Fund) to fund the construction of Phases 2 and 3 and the related project design costs for future phases of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation.

By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Nytes said that she understands arrangements were negotiated with the INDOT before the Super 70 project began, as to which streets would be resurfaced. However, she has heard a lot of complaints from constituents regarding truck traffic on side streets not on the list, and she would encourage the Department of Public Works (DPW) staff to help restore those streets, as well.

Councillor Oliver asked if there is a list of the streets being repaired. Councillor Hunter said that the committee was provided with a list. Councillor Brown said that he would also like to see the list. He said that 21st and 30th Streets and Post Road have taken a lot of traffic from Hancock County, from workers using them to enter downtown instead of I-70. He said that he would like DPW to consider these streets, as well. Councillor Hunter said that Post Road is on the list of roads to be repaired, and he said that he will ask DPW to circulate the list to all Councillors.

President Gray called for public testimony at 8:11 p.m. There being no one present to testify, Councillor Hunter moved, seconded by Councillor Cain, for adoption. Proposal Nos. 69 and 70, 2008 were adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, MahernB, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn

0 NAYS:

2 ABSENT: MahernD, Mansfield

Proposal No. 69, 2008 was retitled FISCAL ORDINANCE NO. 6, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating Three Million Three Hundred Eighty Thousand Dollars (\$3,380,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(i) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to fund the resurfacing design, inspection, and construction of the streets used in 2007 as local detour routes for the Super 70 project, financed by reimbursements by the Indiana Department of Transportation.

SECTION 2. The sum of Three Million Three Hundred Eighty Thousand Dollars (\$3,380,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	3,380,000
5. Internal Charges	0
TOTAL INCREASE	3,380,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>3,380,000</u>
TOTAL REDUCTION	3,380,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2007 ending fund balance for the Transportation General Fund, as depicted in the 2008 budget ordinance (FO 78, 2007 page 242) was estimated to be \$11 million. Because this appropriation is financed on a reimbursable basis by the Indiana Department of Transportation there is no impact on the Transportation General Fund balance.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 70, 2008 was retitled FISCAL ORDINANCE NO. 7, 2008, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 2008

A FISCAL ORDINANCE amending the City-County Annual Budget for 2008 (City-County Fiscal Ordinance No. 78, 2007) appropriating Nine Million Dollars (\$9,000,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2008 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to fund the construction of phases 2 and 3 and the related project design costs for future phases of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation. No match is required for this grant.

SECTION 2. The sum of Nine Million Dollars (\$9,000,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	9,000,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	9,000,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>9,000,000</u>
TOTAL REDUCTION	9,000,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2007 ending fund balance for the Transportation General Fund, as depicted in the 2008 budget ordinance (FO 78, 2007 page 242) was estimated to be \$11 million. Because this appropriation is funded by a grant from the CICF there is no impact on the Transportation General Fund balance.

March 3, 2008

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) All Democrat Councillors in memory of Roth L. Duncan; and
- (2) All Councillors in memory of Donald E. Parrish and Harold L. "Dutch" Bowers; and
- (3) Councillors Hunter and Moriarty Adams in memory of Renaud Tabard; and
- (4) Councillors Mansfield, Cain and Nytes in memory of Richard Henkel; and
- (5) Councillor Sanders in memory of Sue Cook; and
- (6) Councillor Hunter in memory of Jan Morris; and
- (7) Councillor Malone in memory of Leonard E. Jewell, Sr.; and
- (8) Councillor Pryor in memory of Janet Broaden; and
- (9) Councillors Cardwell, Cockrum, Day, Hunter, Plowman and Speedy in memory of Jennifer R. Miller; and
- (10) Councillor Nytes in memory of Henry Gerner and Helen McMahan Foxworthy Combs.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Roth L. Duncan, Donald E. Parrish, Harold L. "Dutch" Bowers, Renaud Tabard, Richard Henkel, Sue Cook, Jan Morris, Leonard E. Jewell, Sr., Janet Broaden, Jennifer R. Miller, Henry Gerner and Helen McMahan Foxworthy Combs. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:12 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 3rd day of March, 2008.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

